

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4950 of 2005

Between:

G.M.Syamala Devi, D/o.Pedda Malla Reddy,

R/o.Gallavandlapalle, H/o.Annalur Village,

Mydukur Mandal, Kadapa District.

..... PETITIONER

AND

1.The Joint Collector, Kadapa District, Kadapa.

2.The Revenue Divisional officer, Jammalamadugu,

Kadapa District. **..... RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly the 1st respondent in not passing any orders on the interlocutory application submitted by the petitioner along with the appeal against the cancellation order passed by the 2nd respondent in his ref.B/297/2004, dated 17-01-2005 though the cancellation order is baseless and without consideration as illegal, unjust, arbitrary and dilatory and against statutory provisions and consequently direct the 1st respondent to pass positive orders in the interlocutory application filed along with the appeal against the orders of the 2nd respondent in his ref.B/297/2004 dated 17-01-2005 and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.4950 OF 2005

-

ORAL ORDER:

Heard both sides.

2. The authorization of the petitioner, who claims to be the Fair Price Shop Dealer of Gallavandlapalli Village, Hamlet of Annaluru, Mydukur Mandal, Kadapa District, had been cancelled by the Revenue Divisional Officer, Jammalamadugu – second respondent herein through proceedings bearing No.Ref.B/297/2004, dated 17-01-200. Challenging the said cancellation of authorization, the petitioner had preferred an appeal before the Joint Collector, Kadapa – the first respondent herein and the same is pending. Along with the said appeal, an application was also said to have been filed seeking interim suspension of the cancellation of the authorization of the petitioner. So far, no orders have been passed, on the said application, by the appellate authority, which according to the learned counsel appearing for the petitioner, has been causing much hardship to the petitioner as well as the public.

3. Having regard to the facts and circumstances, suffice it to close the present writ petition with a direction to the respondents to pass appropriate orders, in accordance with law, on the application filed by the petitioner along with the appeal seeking interim suspension of the authorization of the petitioner, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is closed, at the stage of admission. However,

there shall be no order as to costs.

D.S.R.VARMA, J

15TH MARCH, 2005

ISN/KRK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1) 2 CD copies

Copy to:

- 1.The Joint Collector, Kadapa District, Kapada.
- 2.The Revenue Divisional officer, Jammalamadugu, Kadapa District.
3. Two CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad

(OUT).

4. Two CD copies.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

—

—

—

—

—

—

-
-
-
-

W.P.NO.4950 OF 2005

15TH MARCH, 2005